

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

May 7, 2002, continued

At 9:59 a.m., the court recessed. At 10:30 a.m., the court reconvened.

C037846 THE PEOPLE v. JONES

Cause called. Grace Lidia Suarez, court appointed counsel, argued for appellant. Carlos A. Martinez, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:52 a.m., the court recessed. At 10:52 a.m., the court reconvened.

C034286 ALFARO et al. v. TERHUNE, etc., et al.

Cause called. David M. Verhey, Deputy Attorney General, argued for appellants. Frederick S. Chung argued for respondent Morrison & Foerster. Kathryn K. Andrews argued for respondent California Appellate Project. Cause submitted.

At 11:44 a.m., the court recessed until 9:30 a.m., Monday, May 20, 2002.

C024654 THE PEOPLE v. McCoy et al. (Not for Publication)

The convictions of defendant Ejaan McCoy on counts 1, 2, and 4 are reversed unless the People accept a reduction of the convictions as follows: on count 1, voluntary manslaughter; on count 2, attempted voluntary manslaughter; and on count 4, attempted voluntary manslaughter.

If, after the filing of the remittitur in the trial court, the People do not bring McCoy to retrial on the reversed murder and attempted murder and attempted murder changes within the time limit set forth in section 1382, subdivision (a) (2) --60 days unless waived by the defendant -- or if the People elect, in writing filed in the trial court, not to retry defendant the trial court shall proceed as if the remittitur constituted a modification of the judgment to reflect the foregoing convictions of McCoy for voluntary manslaughter and attempted voluntary manslaughter and shall promptly resentence him.

As to defendant McCoy, the trial court is ordered to amend the abstract of judgment to include the section 12022.7 enhancement and to forward a corrected copy to the Department of Corrections.

In all other respects, the judgment as to each defendant is affirmed.

SIMS, Acting P.J.

We concur: Raye, J.
Hull, J.

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The Minutes

May 7, 2002, continued

- C035730 THE PEOPLE v. DECKER (Not for Publication)**
The judgment is affirmed.
 HULL, J.
I concur: Callahan, J.
I concur in the majority opinion except for part I where I concur in the result...
 Sims, Acting P.J.
- C035827 THE PEOPLE v. TORRES (Not for Publication)**
The judgment (order extending commitment) is affirmed.
 SIMS, Acting P.J.
We concur: Davis, J.
 Hull, J.
- C036887 THE PEOPLE v. ALFARO (Not for Publication)**
The judgment is affirmed.
 RAYE, J.
We concur: Sims, Acting P.J.
 Hull, J.
- C040027 THE PEOPLE v. GILMETTE (Not for Publication)**
The judgment is affirmed.
 SCOTLAND, P.J.
We concur: Sims, J.
 Hull, J.
- C040311 THE PEOPLE v. PEINADO, JR. (Not for Publication)**
The judgment is affirmed.
 SCOTLAND, P.J.
We concur: Sims, J.
 Hull, J.
- C036792 YOHANAN v. IRWIN et al. (Not for Publication)**
The order denying the residents' SLAPP motion is affirmed. All requests for
attorney fees on appeal are denied. Each party shall pay its own costs on
appeal.
 DAVIS, J.
We concur: Blease, Acting P.J.
 Raye, J.
- C037101 MORADI v. PIMENTEL PRIVATE SECURITY et al. (Not for Publication)**
The judgment is affirmed.
 RAYE, Acting P.J.
We concur: Callahan, J.
 Kolkey, J.

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The Minutes

May 7, 2002, continued

C037661 LOBO GAMING, INC. v. PIT RIVER TRIBE OF CALIFORNIA et al. (Not for Publication)

The order is affirmed.

RAYE, J.

We concur: Davis, Acting P.J.
 Morrison, J.

May 8, 2002

C035835 FJELLINE et al. v. GRECO et al. (Not for Publication)

The judgment is modified to correct the amount of contract damages to \$32,647.50, and make the award of punitive damages several, not joint and several. The judgment is affirmed as modified. Defendants, cross-complainants, and respondents John Nick Greco and Lorraine Greco shall recover their costs on appeal.

CALLAHAN, J.

We concur: Davis, Acting P.J.
 Raye, J.

C038026 FRY et al. v. SAENZ, AS DIRECTOR, etc., et al. (Certified for Publication)

The judgment denying reinstatement of benefits is reversed. The matter is remanded to the trial court to take evidence on the fiscal impact of plaintiffs' proposed remedy as applied to plaintiffs and others in the state similarly situated. Plaintiffs are awarded their costs on appeal.

SIMS, Acting P.J.

I concur: Raye, J.
I concur in the result...
 Hull, J.

**C038723 In re DELLANIE G. et al.; GLENN COUNTY DEPARTMENT OF SOCIAL
C038729 SERVICES v. CASSIE C. (Not for Publication)**

The orders (the judgments) are affirmed.

KOLKEY, J.

We concur: Blease, Acting P.J.
 Hull, J.

May 9, 2002

C037027 THE PEOPLE v. WINKELMAN (Not for Publication)

The judgment is affirmed.

HULL, J.

We concur: Scotland, P.J.
 Morrison, J.

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The Minutes

May 9, 2002, continued

C038158 THE PEOPLE v. YOUNGS (Not for Publication)
The judgment is affirmed.
RAYE, J.
We concur: Blease, Acting P.J.
Robie, J.

May 10, 2002

C037220 THE PEOPLE v. WHITE (Not for Publication)
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: Davis, J.
Nicholson, J.

C038264 THE PEOPLE v. SEGURA (Not for Publication)
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: Sims, J.
Nicholson, J.

C038579 THE PEOPLE v. GLADKOFF (Not for Publication)
The judgment is affirmed.
BLEASE, Acting P.J.
We concur: Sims, J.
Nicholson, J.

**C039421 In re OCTAVIA G et al.; SACRAMENTO COUNTY DEPARTMENT OF
HEALTH AND HUMAN SERVICES v. KEVIN C. (Not for Publication)**
The order terminating parental rights is affirmed.
SCOTLAND, P.J.
We concur: Sims, J.
Hull, J.